

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION**

|                                 |   |                                 |
|---------------------------------|---|---------------------------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                                 |
|                                 | ) |                                 |
| <b>VS.</b>                      | ) | <b>CASE NUMBER: 3:21-CR-002</b> |
|                                 | ) |                                 |
| <b>DAVID HARRELL,</b>           | ) |                                 |
|                                 | ) |                                 |
| <b>DEFENDANT.</b>               | ) |                                 |

**MOTION FOR DISCOVERY**

NOW COMES David Harrell, (hereinafter "Defendant"), by and through his undersigned attorney, and moves this Court pursuant to Rule 16 of the Federal Rules of Criminal Procedure and Local Rule 16.1, for an order requiring the government to disclose the following items to Defendant, to-wit:

**1. DOCUMENTS AND TANGIBLE OBJECTS**

Any and all documents or other tangible evidence in the custody, possession, or control of the government which the government may intend to introduce at trial, or which were obtained from or alleged to belong to the defendant or to any alleged co-conspirator, or which are material to the preparation of the Defendant's defense. Rule 16 (a)(1)(C), Federal Rules of Criminal Procedure.

## **2. STATEMENTS OF DEFENDANT**

Any relevant written or recorded statements made by the Defendant within the possession, custody or control of the government, the existence of which is known, or may become known, to the government; the substance of any oral statement which the government intends to offer in evidence at the trial, made by the Defendant, whether before or after arrest in response to interrogation by any government agent; and any recorded testimony of the defendant before a grand jury. Rule 16 (a)(1)(A).

## **3. DEFENDANT'S PRIOR RECORD**

A copy of the Defendant's prior criminal record, if any, as required by Rule 16 (a)(1)(B).

## **4. REPORTS OF EXAMINATIONS AND TESTS**

Any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody or control of the government, or which may become known, and which are material to the preparation of the defense or are intended for use by the government as evidence in chief at the trial, as required by Rule 16(a)(1)(D).

## **MEMORANDUM OF LAW**

This motion is submitted pursuant to Federal Rule of Criminal Procedure 16 and Local Rule 16.1.

Respectfully submitted this 21 day of May, 2021.

**/s/ Troy W. Marsh, Jr.**

Attorney Bar Number 471440

Attorney for David Harrell

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**CERTIFICATE OF SERVICE**

This is to certify that I have on this date served a copy of the foregoing **MOTION FOR DISCOVERY** upon all counsel of record in accordance with the directives from the Court Notice of Electronic Filing (“NEF”) which was generated as a result of electronic filing.

This 21 day of May, 2021.

**s/ Troy W. Marsh, Jr., Esq.**  
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